

AMENDMENT NO. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

AMEND Senate Bill No. 1138

House Bill No. 330\*

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting SECTION 1 in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-35-315, is amended by deleting from the first sentence the language "In any case" and substituting instead the language "Except as provided in subsection (b) of this section, in any case".

SECTION 2. Tennessee Code Annotated, Section 40-35-315, is further amended by designating the existing language of the section as subsection (a) and by adding the following new subsection (b):

(b) In counties having a population of not less than one hundred eighteen thousand four hundred (118,400) nor more than one hundred eighteen thousand seven hundred (118,700) according to the 1990 federal census of population or any subsequent federal census, where a defendant has been sentenced to a local jail or workhouse or is at a local jail or workhouse subject to the provisions of § 40-35-212, and the sheriff or other administrative authority of the institution has formulated a program for work release, the sentencing court shall have jurisdiction to order work release as part of a sentence, either at the time of sentencing or as a part of any subsequent sentence modification, upon conditions established by the sheriff or other administrative authority. If the sheriff or other administrative authority has not formulated a program for work release at the time of sentencing but formulates such a program subsequent to sentencing, the court may modify the sentence and order work release at any time during the defendant's sentence upon conditions established by the sheriff

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**House Judiciary Committee Amendment # 1 and # 1 to 1**

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or other administrative authority. This section shall apply to convictions under §  
55-10-401 after the mandatory minimum sentence has been served.

SECTION 3. If any provision of this act or the application thereof to any person  
or circumstance is held invalid, then all provisions and applications of this act are  
declared to be invalid and void.

FURTHER AMEND by renumbering SECTION 2 of the printed bill as SECTION 4.

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